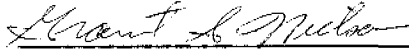


MINUTES OF A PUBLIC HEARING HELD AUGUST 30, 1982

Page 3

value of their property and the decrease in fire insurance rates as an advantage to them which could offset the annexation fees. Mrs. Robert Oppenheimer stated that their group of property owners would meet together and write some proposals, which would be presented to the Council before a meeting scheduled in two weeks.

Mayor Grant Nielson declared the meeting closed at 8:03 p.m.


 Mayor Grant S Nielson

 City Recorder, Dorothy Jeffery

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD AUGUST 30, 1982

PRESENT:

Grant S Nielson	Mayor
Max Bennett	Council Member
Don Bird	Council Member
Don Dafoe	Council Member
Ruth Hansen	Council Member
Willis Morrison	Council Member

OTHERS PRESENT:

Vance Bishop	City Administrator
Warren Peterson	City Attorney
Dorothy Jeffery	City Recorder
John Quick	City Engineer
Ray Valdez	City Building Inspector
Neil Forster	Public Works Superintendent
Roy Wood	Chief of Police
Pat Davies	City Clerk
Craig Whitehead	Administrative Intern
Jim Fletcher	Kay Traveller

Mayor Nielson called the meeting to order at 8:09 p.m. and stated that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided to the Millard County Chronicle, the Millard County Gazette and the local radio station KNAK, and to each member of the governing body by personal delivery of copies of the Notice and Agenda two (2) days before to each of them.

MINUTES

The Minutes of a regular City Council meeting held August 23, 1982 were

AAG923

Page 2

presented to the Council. Council Member Ruth Hansen MOVED to accept the minutes as they stand. Council Member Don Bird SECONDED the motion which carried unanimously.

The minutes of a Public Hearing (Condominium and Townhouse Ordinance) held August 23 at 7:00 p.m. were considered. Councilman Willis Morrison MOVED to accept the minutes as corrected. Councilman Don Dafoe SECONDED the motion which carried unanimously.

The minutes of a Public Hearing (Traveller & Webb) held August 23, 1982 at 7:40 p.m. were considered by the Council. Councilman Bird MOVED and Councilman Morrison SECONDED to accept the minutes with the closing time of the meeting corrected. The motion carried unanimously.

ACCOUNTS PAYABLE

The accounts payable were presented to the Council members by Dorothy Jeffery, City Recorder. After the review, Councilman Don Bird MOVED to pay the current bills and Councilman Bennett SECONDED the motion which carried unanimously.

AIRFONE: LEASE AGREEMENT AT THE AIRPORT

Council members were told by City Administrator Vance Bishop that Airfone has agreed to put up a building at the airport for their use and that they will pay all utilities, install a transmitter on the beacon tower and pay \$200.00 per month rent. After discussion, Councilman Morrison MOVED to have the City Attorney write an agreement that would fit the particular circumstances better than the general agreement from Airfone, and that upon completion of said agreement to authorize the Mayor to sign in behalf of Delta City. Councilman Bennett SECONDED the motion which carried unanimously. Mr. Bishop stated that he will contact Airfone's program coordinator to determine if Airfone is still willing to go ahead with the plan.

KAY TRAVELLER: ZONE CHANGE REQUEST FROM R-3 TO R-4

The Mayor mentioned to the Council that a public hearing has been held concerning the requested zone change and that Planning and Zoning has recommended the change. Councilman Bird expressed concern that the density in the proposed development and the way the development is planned would cause traffic congestion problems. Councilmembers were told that 27 units are proposed for the first phase of the project. Councilman Don Dafoe MOVED to adopt Ordinance #82-47 entitled:

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF DELTA, UTAH (ORDINANCE NO. 81-26) AND AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING DISTRICT BOUNDARIES TO REMOVE CERTAIN PROPERTY FROM THE MULTIPLE-FAMILY RESIDENTIAL (R-3) ZONE AND TO INCLUDE THE SAME PROPERTY IN THE MULTIPLE-FAMILY RESIDENTIAL (R-4) ZONE..

Page 3

The motion was SECONDED by Councilman Max Bennett. The Mayor called for a vote which was as follows:

Max Bennett	Aye
Don Bird	Abstain
Don Dafoe	Aye
Ruth Hansen	Aye
Willis Morrison	Yes

Following the voting, Mayor Nielson signed the ordinance and it was attested by the City Recorder, Dorothy Jeffery.

CELLAR CLUB: APPLICATION FOR LICENSES

City Attorney Warren Peterson explained that Mrs. Phylis Munster has applied for a license to do business in Delta City as a "Social Club" and also for a Class "C" beer license and a license for the consumption of liquor in a public place. He said that the City is unable to grant a Class "C" beer license because of the distance from the Cellar Club to two separate churches. Council members discussed possible problems which might arise in the future if bars are called "Social Clubs". It was expressed by the Council and the City Attorney that the category under which the Cellar Club is licensed should be more clearly defined. The request was made that the inspection of the location of the Cellar Club previously made by the City Building Inspector Ray Valdez should be made a matter of record. Council Member Hansen expressed concern over the noise at the Club causing disturbance to the neighborhood, especially if this should become a business allowed to operate every night of the week. Mrs. Munster was informed that her business license can be revoked if disturbing the peace becomes a problem. After lengthy discussion Councilman Willis Morrison MOVED to reject the request for a Class "C" beer license and to approve the licenses for conduct of a business on the premises and for on premises consumption of liquor, on the conditions that the business license application be amended to reflect the person doing business as Phylis Munster rather than the Betah Rebeccah Lodge and that Mrs. Munster obtain the required letters of recommendation from five resident freeholders in the City. Councilman Bennett SECONDED the motion and the vote was as follows:

Max Bennett	Yes
Don Bird	Aye
Don Dafoe	Abstain
Ruth Hansen	No
Willis Morrison	Yes

PROPOSED ORDINANCE TO LIMIT PARKING

Councilmembers reviewed the proposed ordinance to limit parking on Third North Street between Center Street and First West Street (in front of the High School) and also on streets adjacent to the City park. Councilman Bennett mentioned possible problems at the High School when ball games

AAG923

are held and a lot of parking is needed. He expressed a desire to study the proposed ordinance before it is adopted. Councilman Morrison reported that Superintendent Topham expressed satisfaction with the no parking restriction on the south side of the street in front of the High School, but felt that the parking could be reinstated on the north side of the street. Councilman Bennett MOVED to table the item of business. Councilman Morrison SECONDED the motion which then carried with one "no" from Council Member Hansen.

BUNKER & SONS CONSTRUCTION: SEWER LINE EXTENTION

Mayor Nielson explained the problem which has arisen on a home lot which Bunker & Sons Construction has sold to Mrs. Dixie Freeman and where they have not yet completed a sewer connection. The Bunkers have asked the City to waive the provisions of Resolution 82-63 which states that the developer will stand the cost of water and sewer lines to a development. Bunkers requested that the City absorb the cost of a manhole, which the City Engineer John Quick estimated would cost about \$1,500. The Mayor asked: "Where would the City stand, if we make exceptions?" Councilman Bird stated that in the past the City has honored one hook up on one lot - if a home has been there and the home has been removed. It was mentioned that there is a possibility that two sewer connections are on the lot, but the lot may have been using the sewer connection from the adjacent lot. The Bunkers were told that if it is determined that there are 2 old connections, both will be honored by the City. Superintendent Forster stated that an 8 inch line could not be tied into an 8 inch line without a manhole. He compared the situation to the one at the Kirk Harris home at First North. It was suggested that the Bunkers enter into a lien line reimbursement agreement whereby costs could be recovered for 7 years if any other property owners wish to tie into that particular sewer line or manhole. All new lines are required to be on the City right-of-way. The Mayor asked for a motion if the Council wished to change the present policy. No motion was made so the Mayor declared the present policy in force whereby Bunkers will be required to stand all expenses.

OTHER BUSINESS

1. City Administrator Vance Bishop told the Council Members that the Ford LTD's that were ordered for the police department have been down-sized and that the comparable Ford is now called a Crown Victoria. He said that the Crown Victoria is available with a police package of equipment and meets the City's specifications, but at an increased price of \$268.19 per vehicle, bringing the total cost to \$9,722.55. He further stated that the Ford is still the least expensive of those bid to the City. The Council Members directed that he proceed with the purchase of the Crown Victoria model vehicle.

2. Mr. Bishop and the Council members decided that September 7, 1982 would be an appropriate time for interviewing the candidates for the position of Chief of Police. An executive session closed to the public

Page 5

was suggested.

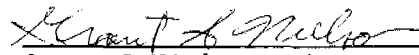
3. The City Administrator reported to the Council that the City is advertising for a Recreation Director and the position would close September 15. Mr. Bishop stated that it might be appropriate to invite the County and the School Board to participate in the selection process. He suggested an interview panel with Councilman Dafoe, a County Commissioner, a School Board Member and the City Administrator to select one applicant for recommendation to the City Council. All Council Members agreed and suggested that the Administrator contact those entities involved.

4. Mr. Bishop recommended Wade Randolph for permanent employee status with the City and also recommended that Mr. Randolph be given a step increase from A to B retroactive to August 10, 1982. Mr. Bishop stated the Mr. Forster has also recommended the action. Councilman Bennett MOVED that Wade Randolph be made a permanent employee eligible for employee benefits and that the step increase be retroactive. Councilman Bird SECONDED the motion which carried unanimously.

5. There was discussion on the problem of campers and trailers illegally parked around the area. The Administrator has designated the Building Inspector as the enforcing officer in charge of illegal camping within the City limits.

6. City Engineer John Quick introduced a request from Ron Johnson Construction for final payment on Phase I of the water system improvement project. Mr. Quick listed 3 areas where the contractor is responsible for repairs: on the canals, a patch on main street (after settling) and the basement steps where an owner has a claim. It was determined that 5% of the amount would be held out of the final payment to cover those costs until the repairs are completed. Councilman Bennett MOVED to pay a final payment of \$21,255.69 to Ron Johnson Construction Co. and to hold back \$8,223.31 until the specified repairs are completed. Councilman Dafoe SECONDED the motion which carried unanimously. Mr. Quick stated that the second phase of the sewer improvement system is being advertised.

Councilman Bird MOVED to adjourn the meeting. Councilman Bird SECONDED the motion which carried in the affirmative. Mayor Nielson adjourned the meeting at 10:18 p.m.


Grant S Nielson, Mayor

Dorothy Jeffery, City Recorder

AAG923